

Land Reform for Sustainable Development: South Africa's Unfinished Business

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Abstract

South Africa, like all other African states that are coming out of colonisation has had to redistribute land following their political independence. From 1994, South Africa has made use of the three pillar strategy: restitution, land tenure reform and redistribution to give land back to the blacks who had lost out through land alienation. Historians have written on how land was the pivot of the liberation struggles of Africa, of how it was important that black governments give land to the natives. According to Solomon Plaatje (1987) blacks were removed from their villages to reserves, homelands and Bantustans without compensation. The South African government has unfinished business where land reform is concerned since a majority of blacks still do not have land and are still steeped in poverty. Using desktop, this paper pored over successes and failures of the South African government in redistributing the scarce resource. The research also commented on recent developments around land reform in South Africa.

Keywords: land alienation, restitution, land redistribution, land tenure, unfinished business

INTRODUCTION

Encountering multifarious challenges with the components of the three pillar strategy in 2000, according to Hall, the South African Government decided to review and change the redistribution and tenure process to a more decentralized and area based planning process. The idea is to have local integrated development plans in 47 districts. This will hopefully mean more community participation and more redistribution taking place, but there are also various concerns and challenges with this system too.

These include the use of third parties, agents accredited by the state, and who are held accountable to the government. The result has been local land holding elites dominating the system in many of these areas. By 2006, the government announced that it would start expropriation of land, although according to the country's chief land-claims commissioner, Tozi Gwanya, unlike Zimbabwe there will be compensation to those whose land is expropriated, "but it must be a just amount, not inflated sums. Despite the efforts, South Africa still remains hugely unequal, with black South Africans still dispossessed of land and many still homeless. This paper discusses the trajectory, the progress and the scenario where land is concerned in South Africa. This paper concludes that land reform is an unfinished business in South Africa and that for sustainable development to begin to take place, South Africans need to be given security around land issues.

The challenge for the incumbent politicians is to improve the various bureaucratic processes, and find

solutions to giving more South Africans secure land tenure. In my PhD thesis of 2006 on the dilemmas of land reform in Zimbabwe and South Africa I outline similarities and differences between the two countries and how their land reforms would differ and be similar in some instances. Indeed, the two countries have in some instances enjoyed similar gains and at the same time suffered similar blows in the land reform sector. In some cases the South African land reform has appeared to be an extension of Zimbabwe or vice versa. From where this study stands, it is not far from the truth to conclude that the two countries because of their geographical proximity, sharing borders, sharing a history, some culture and kins, sharing a colonial past and a trading past, need share notes on the dos and don'ts of land reform.

The Three pillar strategy put in place at independence to achieve land reform had restitution at the top. Restitution in South Africa is where the government compensates (monetary) individuals who had been forcefully removed after 19 June 1913. Land tenure reform is a system of recognizing people's right to own land and therefore control the land. Redistribution is the most important component of land reform in South Africa. Initially, land was bought from its owners (willing seller) by the government (willing buyer) and redistributed, in order to maintain public confidence in the land market. The three pillars of the South African land reform have not been sustainable each in its own way. Besides being unsustainable, land reform is still very much incomplete in South Africa.

Development has many meanings and Cowen and Shenton (1996) have made an interesting case for two basic forms. First, Cohen and Shenton write about immanent development which refers to what people are doing. This denotes a broad process of advancement in human societies driven by a host of factors including advances in science, medicine, the arts, communication, governance etc. It is facilitated by processes such as globalization which is an international integration which helps share new ideas and technologies. Following the first is intentional or interventionist development. This is a focused and directed process whereby government and non-governmental organizations implement development projects and programs to help the poor. The projects are usually time and resource bound, but have an assumption that the gains achieved would continue after the project had ended.

Development should be that which is sustainable if people must benefit. Sustainability can be defined as the practice of maintaining processes of productivity indefinitely, natural or human made, by replacing resources used with resources of equal or greater value without degrading or endangering natural biotic systems. Sustainable development ties together concern for the carrying capacity of natural resources with the social, political, and economic challenges faced by humanity.

Statement of the Problem

At independence in 1994, the nascent black South African government was alive to the fact that land had to be delivered to blacks as a matter of some urgency for a number of positive reasons. The White Paper spelt that the government's case for land reform was four-fold. It was to redress apartheid injustices, foster national reconciliation and stability, underpin economic growth and improve household welfare to alleviate poverty. However, judging from achievements gained so far, the business of prioritizing land for all the mentioned reasons seems to have been lip service. This paper looked deeper into why the South African government has made baby steps towards achieving a secure and sustainable land reform.

Aim of the Study

To pore over the trajectory of the South African land reform bringing out how land reform is an unfinished business for the sake of sustainable development in the country.

Objectives

1. Find out achievements in the South African land reform.
2. Discuss challenges the reform has faced to-date.
3. Ascertain the prospects of land reform in South Africa.

Research Questions

1. What have been achieved through South Africa's land reform model?
2. What have the challenges to reform been like till now?
3. Whither South African land reform?

FINDINGS

Restitution has been very unsuccessful and policy has since shifted to redistribution with secure land tenure which is also proving to be problematic. Restitution has largely been marred by claim disputes between families and communities, winding mediation processes, boundary conflicts, the love of money resulting in land evaluation disputes, untraceable claimants, mismanagement of resources, inheritance issues and lack of resources and time to effectively facilitate post-resettlement support to new land owners as well as disputes with land owners on the validity of claims, land prices, settlement models and conditions.

Land redistribution as a system has worked in various countries in the world, in South Africa it has proved to be very difficult to implement. This is because many owners do not actually see the land they are purchasing and are not involved in the important decisions made at the beginning of the purchase and negotiation. Another hurdle has been that it is a lengthy process and time consuming process to select the rightful beneficiaries for land redistribution. The main model of land reforms that was implemented was based on the Market-led Agrarian Reform (MLAR) approach and this turned out to be punishingly slow.

The 54th National Conference pronounced an amendment of Section 25 but the amending has not yet paid back. Willing seller-willing buyer principle still takes a long time to negotiate land price with the current land owners, yet the English say justice delayed is justice denied. There is still lack of institutional capacity for community legal entities. Monitoring and evaluation continue to bog the processes down because of lack of reliable monitoring system and evaluation thereof. There are gaps in the current policies which compromise effective implementation of land reform programs for example reluctance by government to release state land. To compound the challenges, there is lack of common consensus among political parties on land reform policy, implementation and debate among the ruling ANC and opposition especially EFF. Land policy, at the centre of the storm, is groping in the dark.

Restitution involves people claiming back land taken away from them after June 1913, or compensation for their loss. Land redistribution involves acquiring and transferring land from white farmers to black farmers,

for a variety of purposes, including farming and settlement. Tenure reform aims to secure the land rights of those whose rights are insecure as a result of past discrimination.

Land reform has been slow and punishing, with government reporting that, so far, around 9% of commercial farmland has been transferred through restitution and redistribution. Tenure reform has been remarkably ineffective, with many poor people as insecure as they ever were. In reality, there is only the haziest of understandings of how well or how badly land reform is doing, and why.

In general, the lack of accurate information on land reform and the rural economy allows much of the public debate to be misinformed, and is a serious constraint on policy making. The woeful record keeping of national and local government departments is partly to blame. But they are not the sole culprits. The last census of commercial farming conducted in 2007 underestimates the true numbers of farm owners as it only reports on farms that are registered for VAT, only those with a minimum turnover of R1 million. And StatsSA agricultural reports do not distinguish farms by size or value of output. Also, official survey data on smallholder farming are also thin and even less useful.

Nobody knows precisely how much agricultural land has been privately purchased by black farmers and how much has been acquired via land reform. Larger challenges involve targeting beneficiaries, identifying well located land, ensuring that water is reallocated along with land, effective district based planning, and enabling small scale economic activity in both rural and urban spaces. And new legislation that secures the rights of people in the social tenures found in communal areas, farm dweller communities and informal settlements is also an urgent requirement.

Whither South Africa

As of 2016 the South African government has pumped more than R60bn into land reform projects since 1994. Despite this investment, the land reform program has not stimulated development in the targeted rural areas. A report by the South African Government's Financial and Fiscal Commission shows that land reform as a mechanism for agricultural development and job creation has failed. A survey by the commission in Limpopo Province, KwaZulu-Natal and the Eastern Cape found that most land reform farms show little or no agricultural activity. Compounding the challenge of inactivity is the fact that the land reform beneficiaries earn little to no income. As a result a majority of these beneficiaries seek work on surrounding commercial farms instead of actively farming their own land. Where farming is taking place on land reform farms, these farms operate below their full agricultural

potential and are mainly used for subsistence agriculture. On average, crop production decreased by 79% since conversion to land reform. In the desktop survey carried out, job losses averaged 84%, with KwaZulu-Natal suffering a 94% job hemorrhage.

South Africa's parliament has passed a resolution to amend the constitution and allow expropriation without compensation. The decision has generated a storm of gigantic proportions as political parties, citizens, white farmers and commentators anticipate either a moment of salvation, real land reform at last or disaster, the collapse of the market economy.

CONCLUSION

Land goals set at independence which sought to be in tandem with proclamations of the Freedom Charter of 1955 that South Africa belongs to all who live in it, the people shall share the country's wealth and that land shall be shared among those who work it are still a far cry. Sadly, few contributions to the public debate on land are informed by the not so well put together evidence. And poorly informed commentators often misrepresent the issues. Compounding this is a serious problem which is the absence of reliable national data on what exactly is transpiring with regards land reform.

Recommendations are made here that a proper land audit be carried out that is informative on land that is under production, government owned, land available for land reform as well as statistics on those that have already benefitted through the three pillar strategy implemented earlier. Available researches from land organizations, universities, colleges, conference proceedings and farmers' unions should be gathered and made use of so that all important recordings on the issue of land reform in South Africa do not go to the waste. The government should demonstrate unwavering will power to see land reform through financially and politically.

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